

Oak Grove P.U.D. Homeowners Association, Inc.

- 2209 Collier Parkway ● Suite 141 ● Land O' Lakes, Florida 34639 ●
- FAX: (813) 464-7768 ● www.OakGroveHOA.com

RESOLUTION FOR THE ENFORCEMENT OF DEED RESTRICTIONS (AS AMENDED 10/1/09)

WHEREAS, Article II, Paragraphs (b) and (h) of the Articles of Incorporation empower the Association to enforce the provisions of the Declaration of Covenants, Conditions and Restrictions (herein referred to as the "Covenants")

WHEREAS, Article VIII, Section 4 of the Covenants states the restrictions are enforceable by the Association;

WHEREAS, FS 617.0601(7), FS 720.305(1) and Articles III and VIII of the Covenants bind each homeowner of record to the restrictions of Oak Grove;

WHEREAS, Article V, Section 9 of the Covenants provides the Association with the authority to levy fines for violations of the Covenants, the By-Laws, the Articles of Incorporation, and the Rules and Regulations;

NOW THEREFORE be it resolved by the Board of Directors of the Oak Grove PUD Homeowners Association, Inc, that the enforcement of the deed restrictions will be handled in the following manner:

The Board will apply procedures outlined in this Resolution to all violations of the Association's governing Documents, rules and regulations, and written Architectural Standards. Nothing in this resolution shall constitute a waiver of, or preclude the Association from exercising, any lawful remedy it possesses with respect to any violation of the Covenants or the rules and regulations.

VIOLATIONS COMMITTEE

WHEREAS, Article IX of the By-Laws authorizes the Board of Directors to appoint other committees as deemed appropriate in carrying out its purpose;

THEREFORE, the Board of Directors desires to form a Violations Committee or contract a Licensed Community Association Manager (LCAM) for the purpose of the monitoring and enforcing the deed restrictions. The Board of Directors also desires to form a Violations Remediation Sub-Committee for the purpose of conducting hearings and recommending deed restriction violation fines to the board.

COMPLAINTS

Any written complaint received by a homeowner will be investigated as soon as possible by a member of the Violations Committee.

MONITORING

The members of the Violations Committee or contracted Licensed Community Association Manager (LCAM) will monitor Oak Grove once every thirty (30) days.

NOTICES

The homeowner will be sent a Courtesy Letter (Attachment 1) via First Class Mail to both the address of the parcel, and the homeowner's last address, as reflected in the records of the Association, if those two differ. Should this same violation occur in the future, it may immediately result in a second noncompliance violation notice and/or fine. Upon inspection of the Lot, if the alleged violation has not been corrected within fourteen (14) days of the Courtesy Letter date, a Violation Letter (Attachment 2) will be sent by Certified mail, pursuant to Article VIII, Section 10 of the Declaration.

The Violation Letter will include the specific nature of the alleged violation, including a statement setting forth the provisions of the Governing Documents allegedly violated, a short and plain statement of the matters asserted by the Association, and advising an opportunity for a hearing before the Violations Remediation Sub-Committee upon a written request delivered to a Board or Committee member, or designated agent, within fourteen (14) days of the date of the Violation Letter. The Violation Letter will include the date, time, and place of the hearing to be held, if the hearing is requested. The Violation Letter will also specify, and it is hereby provided, that each recurrence of the alleged violation, or each day during which the violation continues, is deemed to be a separate offense, subject to a separate fine.

NON-COMPLIANCE MEETING/HEARING

Pursuant to FS 720.305(2), at the Violations Remediation Sub-Committee meeting, the non-compliant Lot Owner will have any opportunity for a hearing. If a hearing is timely requested, the Violations Remediation Sub-Committee will hold it on the date and time and at the place set forth in the Violation Letter, and will hear and receive the response of the Lot Owner, including written and oral argument on all issues involved, and will hear any witnesses that the Lot Owner, or the Violations Committee, or its agents, may produce. Any party at the hearing may be represented by counsel.

Subsequent to any hearing, or if no hearing is timely requested, the Violations Remediation Sub-Committee will determine whether there is sufficient evidence of a violation, or violations, as provided herein. If the Violations Remediation Sub-Committee determines there is sufficient evidence to support a finding that a violation, or violations, occurred, it will send a written recommendation to the Board. Within ten (10) days after the Board's review of the written recommendation, the Board will send a written notification to the Lot Owner announcing the finding that a violation, or violations, occurred and notifying the Lot Owner that fines will be assessed and levied as provided herein. No further notice or hearing will be necessary to enable the Board to levy fines for an uncorrected violation, or violations, or for recurring violations substantially similar to violations for which a hearing opportunity was previously provided.

FINES

Pursuant to Article V, Section 9 of the Declaration, fines will be imposed in the following manner:

- First Noncompliance for Violation. A fine in an amount not in excess of \$100.00.
- Second Noncompliance for Violation. A fine in an amount not in excess of \$500.00.
- Third and Subsequent Noncompliance Violation or Violations that are of a Continuing Nature. A fine in an amount not in excess of \$1,000.00 for each violation.

A fine shall not become a lien against a parcel.

If the board upholds the Violations Remediation Sub-Committee's recommendation for fines, the lot owner shall be sent notice of the fine, advising the payment due within thirty (30) days.

Once a fine is imposed, the board may elect to refer delinquent matters to an attorney at any time for further collection.

ADOPTED by the Board of Directors this 21st day of August 2007.

AMENDED by the Board of Directors this 1st day of October 2009.

Attachment 1

Oak Grove P.U.D. Homeowners Association, Inc.

• 2209 Collier Parkway • Suite 141 • Land O' Lakes, Florida 34639 •
FAX: (813) 464-7768 • www.OakGroveHOA.com

DATE

Owner Name
Owner Address
Owner Address

RE: Deed restriction reminder: Oak Grove Address

Dear Homeowner:

During a routine patrol of the neighborhood, we noticed a deed restriction infraction on your property. Below is a description of the observation:

Infraction Observation & Suggested Remedy

HOA document(s) section(s) related to stated infraction

Correcting this issue will help maintain the beauty of our neighborhood and the value of our properties. Please take corrective action on this issue **within 14 days**. Should this same violation occur at a future day, it may immediately result in a second noncompliance violation notice and/or fine.

If you have submitted a request to the Architectural Control Committee regarding this issue, please notify us immediately to avoid future notices and to update our records.

Please write us at the above address or send an email to Violations@OakGroveHOA.com if you have any questions.

If these matters have been corrected prior to receipt of this letter, please disregard this notice, and thank you for your compliance.

Sincerely,
The Violations Committee

Attachment 2

Oak Grove P.U.D. Homeowners Association, Inc.

• 2209 Collier Parkway • Suite 141 • Land O' Lakes, Florida 34639 •
FAX: (813) 464-7768 • www.OakGroveHOA.com

DATE

Owner Name
Owner Address
Owner Address

RE: lot/parcel/home address

2ND NOTICE – IMMEDIATE ACTION REQUIRED

Dear Homeowner,

Please refer to your copy of the Covenants and Restrictions for Oak Grove, which describes homeowner's responsibilities in maintaining their property.

We previously notified you of the requirements of our Association Documents, which provide that:

Infraction observed/unresolved

HOA document(s) section(s) related to the stated infraction

The Violations Committee has found that your property is in violation of our Deed Restrictions. We ask that you correct the violation(s) **within 14 days**. Please be aware that if correction to the above violation is not made within the time period stated above, the Violations Committee will meet on –DATE- at –TIME- to discuss a possible fine against your Lot. In addition to a possible fine against your Lot, the Association may also turn the matter over to the Association Attorney for further enforcement action. Please note that in accordance with Article V, Section 9 of our Declaration, fines can be as much as \$1,000. The Violations Committee meeting are held at – LOCATION/ADDRESS-. Further, the Association Board of Directors' meetings are held at –LOCATION /ADDRESS-. Board meetings are at -DAY/TIME-. You are invited to attend the meetings to speak on your behalf.

You may obtain or view a copy of the Covenants and Restrictions online at our website, www.oakgrovehoa.com, or obtain a copy from the Violations Committee for a nominal charge of \$25. If you have any questions, please write us at the above address or send an email to Violations@OakGroveHOA.com

The Violations Committee thanks you in advance for your prompt attention to this matter.